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In re Application of  
WOLNERMAN, Joseph Simcha  
Application No.: 10/069,416  
PCT Application No.: PCT/IL01/00276  
International Filing Date: 22 March 2001  
Priority Date: 22 March 2000  
Attorney Docket No.: 082864-000000US  
For: A COMPOSITION CONTAINING  
MONOTERPENES FOR TOPICAL ORAL  
ADMINISTRATION

DECISION ON  
  
PETITION  
  
UNDER 37 CFR 1.137(b)

Applicant's "Petition for Revival of an Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b)" filed in the United States Patent and Trademark Office on 06 February 2002 is **GRANTED**.

**BACKGROUND**

On 22 March 2001, applicant filed an international application, PCT/IL01/00276, which claimed a priority date of 22 March 2000. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) by the International Bureau on 27 September 2001. The twenty month period for entering the national stage in the United States expired at midnight on 22 November 2001.

On 06 February 2002, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, a petition to revive, payment of the petition fee and payment of the basic national fee.

**DISCUSSION**

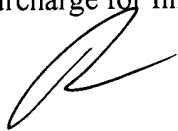
A petition to revive an abandoned application under 37 CFR 1.137(b) must be filed without intentional delay from the time the application became abandoned and/or applicant first became aware of the abandoned status of the application. A petition under 37 CFR 1.137(b) must be accompanied by (1) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, (2) a proposed response, (3) the petition fee required by law (37 CFR 1.17(m)), and (4) a terminal disclaimer and fee (if the international application was filed prior to June 8, 1995).

Applicant states "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional," as required by 37 CFR 1.137(b)(3). The appropriate national fee and petition fee have been submitted. A terminal disclaimer is not required as application was filed on 22 March 2000. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

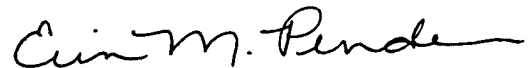
**CONCLUSION**

The petition to revive the application abandoned under 37 CFR 1.137(b) is **GRANTED** as to the National Stage in the United States of America.

This application is being forwarded to the National Stage Processing Division of the Office of the PCT Operations for continued processing, including preparation of a Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that an oath or declaration and the surcharge for filing the oath or declaration after twenty months are required.



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